## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:06CV325-01-MU

TAURICE CRISP,	)
Plaintiff,	)
v.	ORDER
BELINDA FOSTER, <u>et al.</u> ,	)
Defendants.	)
	)

**THIS MATTER** comes before the Court for an initial review of Plaintiff's Complaint pursuant to 42 U.S.C. § 1983, filed October 2, 2006.

On September 15, 2006, this Court entered an Order in case 5:06CV119-2-MU dismissing Plaintiff's Complaint as frivolous. In addition, the Court noted that Plaintiff was subject to the three strike provision of 28 U.S.C. § 1915(g). Plaintiff's present Complaint does not allege that he is in imminent danger of serious physical harm and consequently his Complaint will be dismissed.

**THEREFORE, IT IS HEREBY ORDERED** that Plaintiff's Complaint is **DISMISSED** pursuant to 28 U.S.C. § 1915(g).

Signed: October 10, 2006

Graham C. Mullen

United States District Judge